

**Circle Drive Neighborhood Development, Village of Sidney, Delaware County, NY**  
**Environmental Assessment**



**Prepared by Tetra Tech Inc.**  
1999 Harrison Street, Suite 500  
Oakland, CA 94612

**New York State Homes and Community Renewal**  
**Governor's Office of Storm Recovery**  
38-40 State Street  
Albany, NY 12207

~~June 15, 2017~~ November 2, 2017- Revised

**Circle Drive Neighborhood Development  
Village of Sidney, Delaware County, NY  
Environmental Assessment**

~~June 15, 2017~~ November 2, 2017- Revised  
Revised November 20, 2017

**Project Name:** Circle Drive Neighborhood Development

**Project Location:** ~~21 Liberty Street~~ Circle Drive and West Main Street, Village of Sidney, Delaware County, New York, 13838

**Federal Agency:** US Department of Housing and Urban Development


**Responsible Entity:** New York State Homes and Community Renewal

**Responsible Agency's  
Certifying Officer:** Lori A. Shirley, Certifying Officer

**Project Sponsor:** Delaware County Planning Department Village of Sidney

**Primary Contact:** Shelly Johnson-Bennett, Interim Director Hon. Andrew Matviak, Mayor  
PO Box 367 / 1 Page Avenue Civic Center, 21 Liberty Street  
Delhi, NY 13753 Sidney, NY 13838  
(607) 832-5444 (607) 561-2324  
[shelly.johnson@co.delaware.ny.us](mailto:shelly.johnson@co.delaware.ny.us) questions@villageofsidney.org

**Project NEPA Classification:** 24 CFR 58.36 (Environmental Assessment)

<b>Environmental Finding:</b>	<input checked="" type="checkbox"/> Finding of No Significant Impact - The project will not result in a significant impact on the quality of the human environment.
	<input type="checkbox"/> Finding of Significant Impact - The project may significantly affect the quality of the human environment.
<b>Certification</b>	The undersigned hereby certifies that New York State Homes and Community Renewal has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended (42 USC Sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.
<b>Signature</b>	<div></div> Lori A. Shirley

**Environmental  
Assessment Prepared By:** Consultant: **Tetra Tech, Inc.**  
Address: 1999 Harrison Street, Suite 500  
Address: Oakland, CA 94612

### CERTIFICATION OF NEPA CLASSIFICATION

It is the finding of New York State Homes and Community Renewal's Housing Trust Fund Corporation that the activity(ies) proposed in its 2017 NYS CDBG-DR project, Circle Drive Neighborhood Development are:

Check the applicable classification.

- ☐ Exempt as defined in 24 CFR 58.34 (a).
- ☐ Categorically Excluded as defined in 24 CFR 58.35(b).
- ☐ Categorically Excluded as defined in 24 CFR 58.35(a) and no activities are affected by federal environmental statutes and executive orders [i.e., exempt under 58.34(a)(12)].
- ☐ Categorically Excluded as defined in 24 CFR 58.35(a) and some activities are affected by federal environmental statutes and executive orders.
- ☒ "Other" neither exempt (24 CFR 58.34(a)) nor categorically excluded (24 CFR 58.35).
- ☒ Part or all of the project is located in an area identified as a floodplain or wetland. For projects located in a floodplain or wetland, evidence of compliance with Executive Orders 11988 and/or 11990 is required.

For activities excluding those classified as "Other", attached is the appropriate Classification Checklist (Exhibit 2-4) that identifies each activity and the corresponding citation.



Signature of Certifying Officer

June 15, 2017

Date

Lori A. Shirley  
GOSR Certifying Officer

### CERTIFICATION OF SEQRA CLASSIFICATION

It is the finding of New York State Homes and Community Renewal's Housing Trust Fund Corporation that the activity(ies) proposed in its 2017 NYS CDBG-DR project, Circle Drive Neighborhood Development constitute a:

Check the applicable classification:

- ☒ Type I Action (6NYCRR Section 617.4)  
☐ Type II Action (6NYCRR Section 617.5)  
☐ Unlisted Action (not Type I or Type II Action)

Check if applicable:

- ☐ Environmental Impact Statement (EIS)  
☐ Draft EIS  
☐ Final EIS



Signature of Certifying Officer

June 15, 2017

Date

Lori A. Shirley  
GOSR Certifying Officer

**Revised Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The Governor's Office of Storm Recovery (GOSR) proposes to provide CDBG-DR funding to the Delaware County Planning Department and its not-for-profit partner, Delaware Opportunities, Lakewood Development II, LLC and the Village of Sidney to acquire and develop up to 10.5 acres to construct single and multi-family housing and the infrastructure necessary to support it near the intersection of Circle Drive and West Main Street, in the Village of Sidney, Delaware County, New York. The three parcels intended for the housing component of the project are owned by Saint Luke's Lutheran Church and two other private owners (the Martin and Patterson parcels). Additional parcels include: a sliver of the parcel adjacent to the northeastern corner of the site, currently owned by the VFW, to support the required ingress right-of-way (0.1 acre); three alternate sites for necessary water booster pump (Alternate Site 1 is 0.9 acre, Alternate Site 2 is 0.4 acre, Alternate Site 3 is 0.5 acre), two alternates are located on private property and one on Village-owned property; and a portion of West Main Street to the north of the Project area for modification of the existing water main (0.3 acre). The total Project area will be 10 to 10.5 acres, depending on the water booster location selected (see **Figure 1**).

The parcels that will be the site of the single-family homes and two-family unit townhouses are undeveloped and primarily vegetated with a variety of hay grasses and some woody shrubs. The parcels are adjacent to Saint Luke's Lutheran Church, a residential property and West Main Street to the west; Circle Drive and a residential property to the north; and undeveloped forested and grass land to the east and south. The three alternate water booster locations are vegetated by lawns and trees.

The Project consists of design and construction of up to 22 single-family homes, 10 two-unit townhomes, and roads, water, sewer and stormwater infrastructure extending from existing Village connections to service the Project. The existing 8-inch sanitary sewer main will be extended 800 feet to the Project site; the existing 1.5-inch water main will be replaced with 1,100 feet of new 8-inch water main; and the existing water booster pump station to the west of the Project site will be replaced at one of the alternate sites (see **Figures 2a through 2f**).

**Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:**

In June 2013, Governor Andrew Cuomo set out to centralize recovery and rebuilding efforts in affected areas of New York State. Delaware County was struck by Tropical Storm Lee. Disaster relief funds are directed under the Community Development Block Grant-Disaster Recovery (CDBG-DR) award process. The Governor's Office of Storm Recovery (GOSR) was established to administer the award funds, address communities' most urgent needs, and encourage identification of innovative and enduring solutions to strengthen the state's infrastructure and critical systems. Operating under the umbrella of New York State Homes and Community Renewal (HCR), GOSR uses approximately \$3.8 billion in flexible funding made available by the U.S. Department of Housing and Urban Development's (HUD) CDBG-DR program to concentrate aid to four main areas: housing recovery, small business, community reconstruction, and infrastructure. Paired with additional federal funding that has been awarded to other state agencies, the CDBG-DR program is enabling homeowners, small businesses, and entire communities to build back and better prepare for future extreme weather events.

During Tropical Storm Lee, the Village of Sidney's River Street Neighborhood was catastrophically damaged by 12 feet of floodwater from the Susquehanna River. Over 260 properties in this area flooded, and many were rendered uninhabitable for weeks (and in some cases months) after the storm. During the NY Rising Community Reconstruction planning process, Village residents strongly advocated for construction of new, affordable and flood-safe housing within the Village. As a result of the planning process, the Village identified and analyzed several properties within the Village to develop single and multi-family housing. After assessing properties based on proximity to Village services, cost of necessary infrastructure support, and suitability for development of housing, the project location was selected.

This Project is one part of a multi-faceted program to mitigate the harmful impacts of riverine flooding in the Village of Sidney.

**Existing Conditions and Trends [24 CFR 58.40(a)]:**

In 2015, the Village of Sidney had a population of 4,146, which was a 6.3 percent increase over its 2010 population of 3,900. During that same period, the county's population decreased by 2.2 percent, and the state's population increased by 1.5 percent.

The Village of Sidney had 2,210 housing units in 2015, and 82.6 percent of them were occupied. Approximately 52.6 percent of the housing units were owner occupied. The owner occupancy rate in the Village of Sidney was lower than that of the county and similar to that of the state. Between 2010 and 2015, the number of housing units in the Village of Sidney increased by 16.1 percent (307 units), and the population increased by 6.3 percent (246 persons).

In 2015, the median value of a home in Sidney was \$81,600, lower than in the county and significantly lower than New York State.

In 2015, New York State had a labor force of 10,110,430 and an average unemployment rate of 8.2 percent. In that same year, the village had a labor force of 1,865 and an average unemployment rate of 14.6 percent. The per capita income for the Village of Sidney averaged \$20,393, lower than New York State's per capita income of \$33,236. The Village of Sidney had a 16.8 percent poverty rate in 2015, which is higher than the New York State poverty rate of 15.7 percent (**Source: 2, 3, 4**).

### **Standard Conditions for All Projects**

Any change to the approved scope of work will require re-evaluation by the GOSR Environmental Certifying Officer for compliance with the National Environmental Policy Act (NEPA) and other laws and Executive Orders.

This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

### **Funding Information**

**Estimated Total HUD Funded Amount: \$6,750,000 from CDBG-DR and \$600,000 from CDBG**

**Estimated Total HUD Funding: \$7,350,000**

CDBG-DR funding to Lakewood Development II LLC for SPARC program multi-family housing: \$3,750,000

CDBG-DR to the Village of Sidney for Project infrastructure: \$2,700,000

CDBG-DR to Delaware County for property acquisition: \$300,000

CDBG from NYSHCR Office of Community Renewal to augment the implementation of Project infrastructure: \$600,000

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$8,150,000**

HUD funding: \$7,350,000

NYS Affordable Housing Corporation: \$800,000





Figure 1. Project Area



GOSR Environmental Review Record  
 Circle Drive Neighborhood Development, Sidney, NY  
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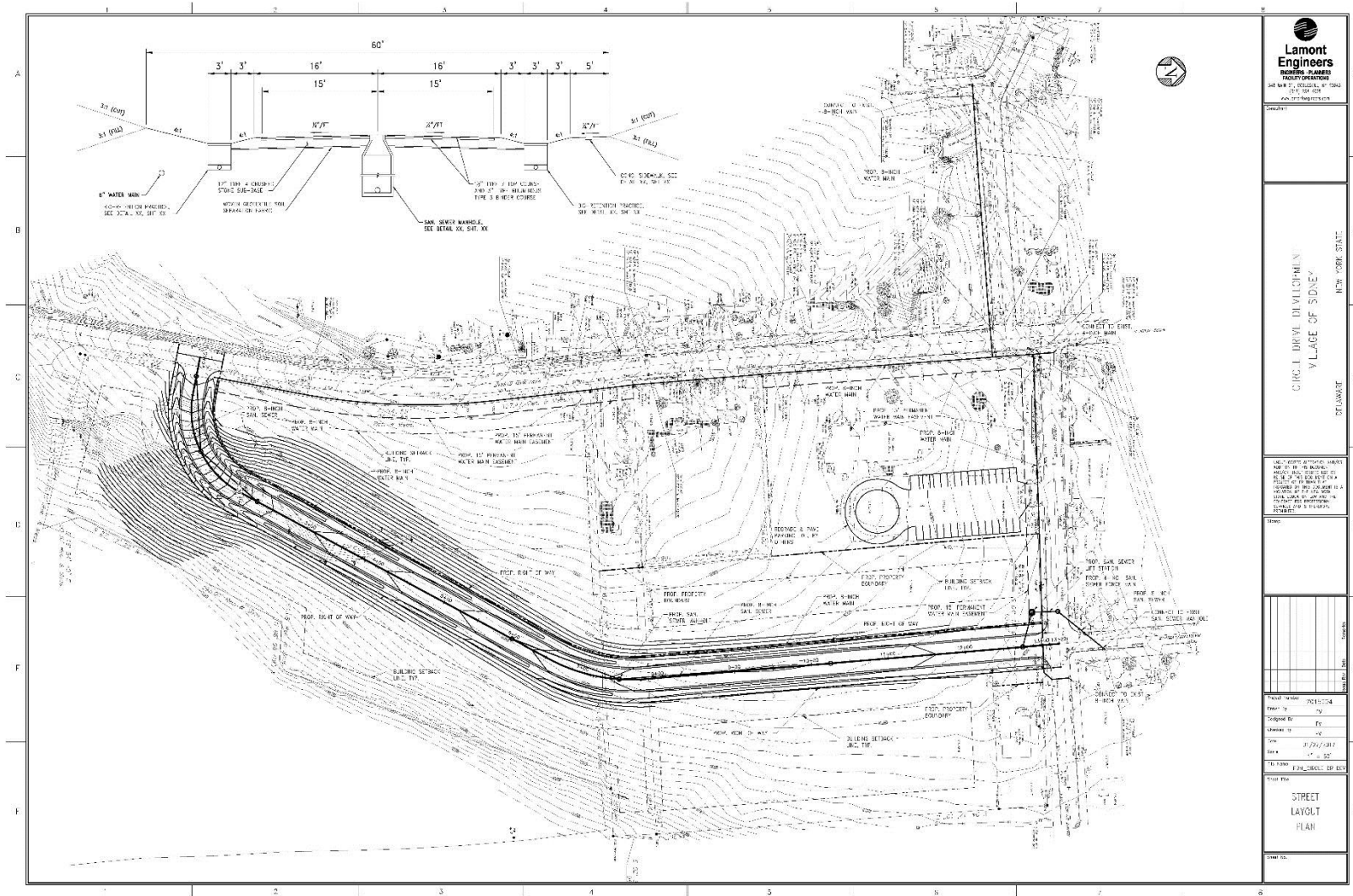


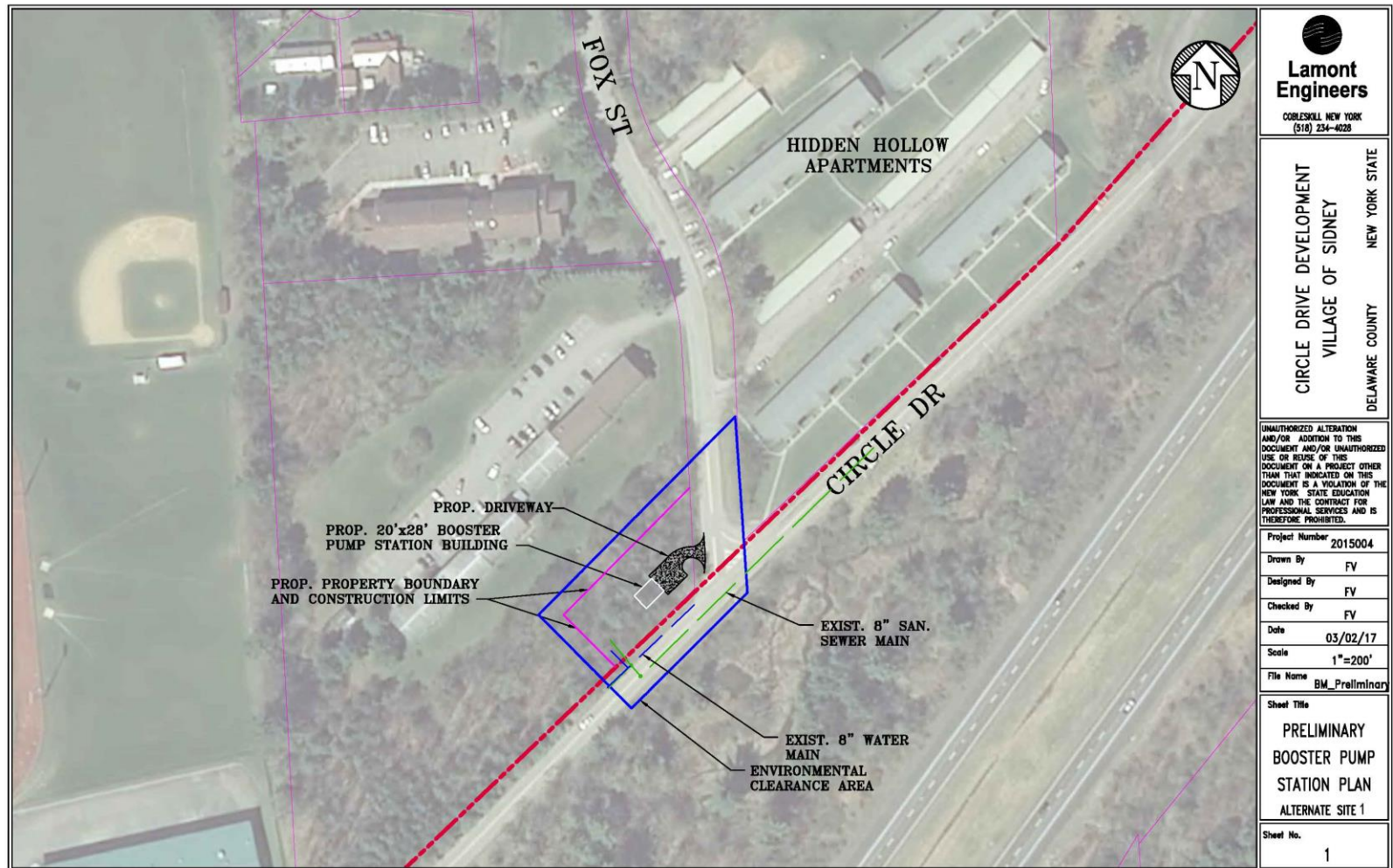


Figure 2b. Site Plan



### Figure 2c. Site Plan





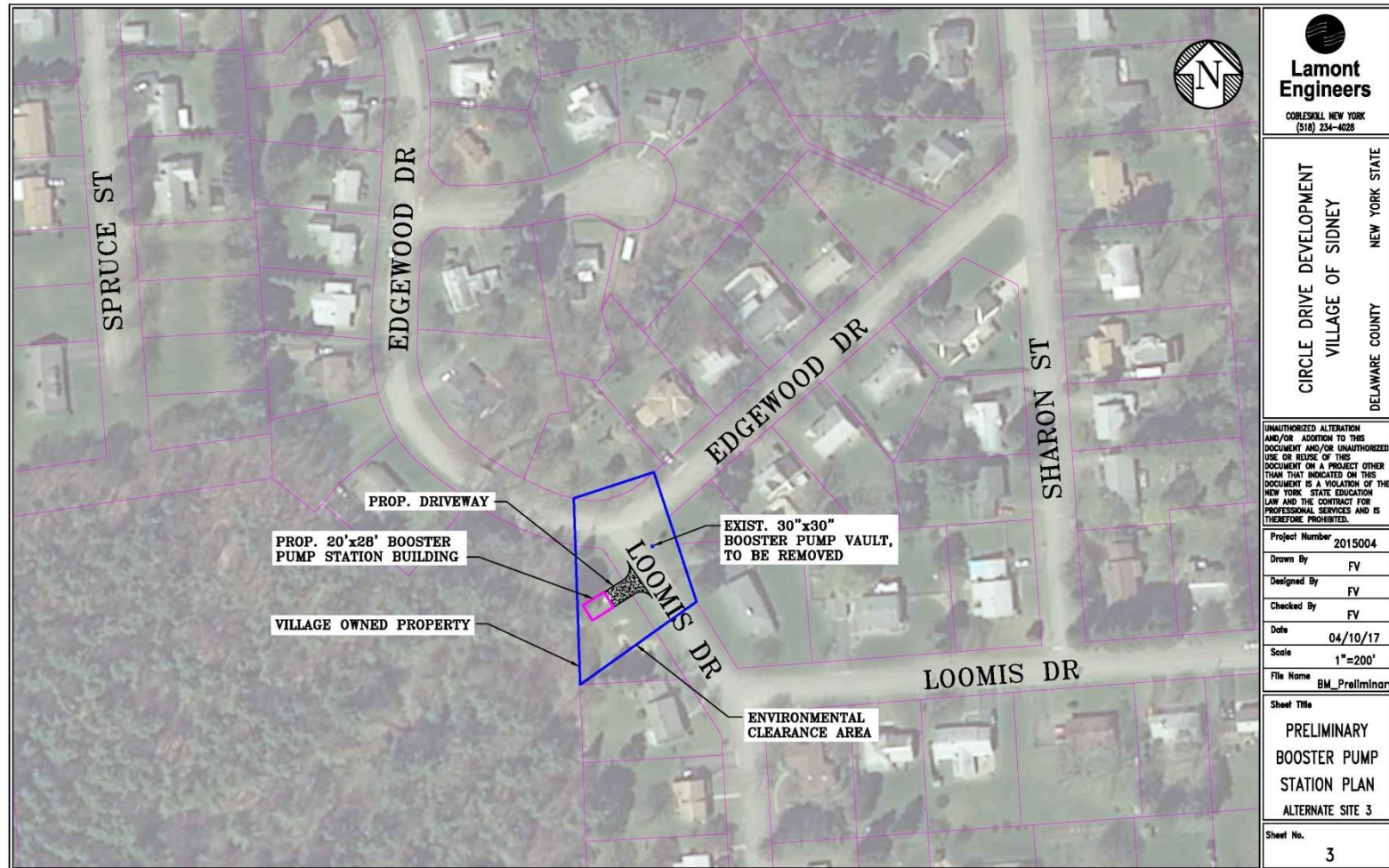
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Figure 2d. Site Plan



Figure 2e. Site Plan





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Figure 2f. Site Plan

### Compliance with 24 CFR 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>Based on HUD guidance in Fact Sheet #D1, the National Plan of Integrated Airport Systems (NPIAS) was reviewed for civilian, commercial service airports near the Project site, as projects within 2,500 feet of a civil airport require consultation with the appropriate civil airport operator. No known public use civil airports are located within 2,500 feet. The nearest public use civil airport to the Project site is the Sidney Municipal Airport, approximately 2 miles to the northwest of the Project. The Sidney Municipal Airport, has entered into an agreement that grants landing rights to the military. However, there are no military operations and no military aircraft are based at this airport.</p> <p>The Project is not in an Airport Runway Clear Zone. (See <b>Appendix A</b>, Figures.)</p> <p><b>Source: 6, 7</b></p>

<p><b>Coastal Barrier Resources</b></p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Project site is not in a Coastal Barrier Resources Area as defined by the state's Coastal Zone Management Program. (See <b>Appendix A</b>, Figures.)</p> <p><b>Source: 8, 9</b></p>
<p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>Based on the review of the Federal Emergency Management Act (FEMA) Flood Insurance Rate Map (FIRM) (Panel 36025C0242D, dated June 19, 2012), the Project site is located outside both the 100-year and 500-year floodplains and is not within a Special Flood Hazard Area. The Project will not require flood insurance.</p> <p><b>Source: 10</b></p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b></p>		
<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Project site is not included in the most recent listing of nonattainment or maintenance areas for inhalable particulate matter (PM<sub>2.5</sub>) or the 2008 8-hour ozone standard, as defined by the U.S. Environmental Protection Agency (EPA) Green Book Nonattainment Areas for Criteria Pollutants.</p> <p>The Project involves acquisition of undeveloped land and development of up to 22 single family homes, 10 two-family unit townhomes, and roads, water, sewer and stormwater infrastructure extending from existing Village connections to service the project. Project activities will be localized short term and will not substantively affect the NY State Implementation Plan (SIP) because implementation of standard best management practices (BMP) that control dust and other emissions will be implemented during construction. No significant impacts on air quality will result. (See <b>Appendix A</b>, Figures.)</p>

		<p>Any generators installed at the water booster pump station will be subject to the stationary Reciprocating Internal Combustion Engine (RICE) Maximum Achievable Control Technology (MACT) regulations at 40 CFR 63 ZZZZ that govern emission limits and compliance requirements for existing and new stationary RICE. Any new compression ignition generator must comply with 40 CFR 60, Subpart IIII, and any new spark ignition generator must comply with 40 CFR 60, Subpart JJJJ. As the water booster pump stations are not located at major sources of HAP emissions, they would likely not result in direct or indirect adverse impacts to air quality.</p> <p><b>Source: 11</b></p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Project site is not in a coastal zone as defined by the state's Coastal Zone Management Program. (See <b>Appendix A:</b> Figures.)</p> <p><b>Source: 8</b></p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>HUD policy requires that the proposed site and adjacent areas be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants of the property.</p> <p>A search of the NYSDEC Bulk Storage Program Database identified six chemical bulk storage and 30 petroleum bulk storage facilities within one mile of the Project site (See <b>Appendix A</b>, Figures). A search of the NYSDEC Remediation Site Database containing records of the sites that were addressed under one of DER's remedial programs (State Superfund, Brownfield Cleanup, Environmental Restoration and Voluntary Cleanup, the Registry of Inactive</p>

		<p>Hazardous Waste Disposal Sites, and Institutional and Engineering Controls) identified six State Superfund sites within one mile of the Project site (See <b>Appendix A</b>, Figures). EPA's NEPAAssist mapping tool identified 13 Resource Conservation and Recovery Act, two National Pollutant Discharge Elimination System (NPDES) facilities, two Toxics Release Inventory facilities, and three air emissions facilities within one mile of the Project site. The Project site was not identified in any of the databases searched.</p> <p>The Project site is undeveloped. Therefore, mold, asbestos-containing materials, and lead based paint would not be present on the Project site. A Phase I Environmental Site Assessment (ESA) report prepared in January 2017 did not identify any recognized environmental conditions. However, the following condition was identified as having the potential to affect the subsurface at the Project site:</p> <ul style="list-style-type: none"><li>• Scattered debris (pieces of concrete blocks and wood) observed in the central portion of the Project site should be properly characterized prior to disposal.</li></ul> <p>No other concerns were identified in the Phase I ESA report.</p> <p><b>Radon</b></p> <p>According to EPA, the Project site is in Radon Zone 1, where the predicted average indoor radon screening level is greater than 4 picoCuries per liter (pCi/L), the highest potential for elevated indoor radon levels. The single-family houses and two-unit townhouses will include a sub-slab depressurization radon mitigation system. Radon testing must be done when construction is complete, prior to</p>
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		<p>occupancy. If testing results exceed EPA action levels, additional mitigation measures may be required to be retrofitted into the building. (See <b>Appendix J</b>, Commitments)</p> <p><b>PCBs</b></p> <p>Polychlorinated biphenyls (PCBs) were widely used in equipment, such as transformers, capacitors, and hydraulic equipment, until 1979 when EPA regulated their use in this capacity. No suspected PCB containing equipment was identified on the Project site in the Phase I ESA report, and the site is undeveloped. If possible PCB-containing materials are found on the Project site during construction, they will be disposed of in accordance with applicable rules and regulations.</p> <p><b>Mold</b></p> <p>The Project involves new construction, so mold in structures is not present on the Project site. The new building materials or areas of the new buildings could become contaminated with mold if not properly protected from the elements or water infiltration. If mold contamination occurs, a certified industrial hygienist will ensure that the mold is appropriately removed and will submit a clearance report prior to occupancy. (See <b>Appendix J</b>, Commitments)</p> <p>The Project will not result in any significant adverse impacts related to toxic, hazardous, or radioactive materials.</p> <p>A May 2017 addendum to the A Phase I ESA report covering the three water booster pump alternates, the water main modification, and the sliver of land needed for the driveway right-of-way stated that no Recognized Environmental Conditions were</p>
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		<p>identified in connection with the expanded Project area.</p> <p>(See <b>Appendix C</b>, Contamination and Toxic Substances).</p> <p><b>Source: 12, 13, 14, 15</b></p>
<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>The U.S. Fish and Wildlife Service (USFWS) on-line review process for the 9.2-acre Circle Drive Development portion of the Project area, completed on November 15, 2016, and the official species list for the Project area indicated that is one endangered and one threatened species in the Project area: the endangered Dwarf wedgemussel (<i>Alasmodonta heterodon</i>) and the threatened Northern long-eared Bat (<i>Myotis septentrionalis</i>). The official species list for the proposed Project indicated that there is no critical habitat in the Project area.</p> <p>There are currently no known maternity roost trees or hibernacula known to be occupied by the northern long-eared bat (<i>Myotis septentrionalis</i>) in the vicinity of the Project location, according to geospatial information provided by the USFWS. The project site is not within five miles of NLEB hibernacula.</p> <p>Several migratory birds of concern that could be affected by the proposed Project also were identified in the on-line review process. Bald eagle (<i>Haliaeetus leucocephalus</i>) habitat and breeding sites can be found throughout Delaware County.</p> <p>The proposed Project will involve tree clearing. Tree will be cleared between November 1 and March 31 to avoid the potential for impacting bats and migratory birds.</p> <p>On November 15, 2016, GOSR submitted a consultation letter to the New York Natural</p>

		<p>Heritage Program (NYNHP) regarding potential rare or state-listed animals or plants near the 9.2-acre Project area. On November 23, 2016, NYNHP responded that it has no records of rare or state-listed animals or plants or significant natural communities at the Project site. On May 3, 2017, GOSR updated the consultation to include the sliver of land for the proposed entrance driveway right-of-way, the three alternate locations for the water booster pump, and the area of modification of the water main. NYNHP responded on June 1, 2017 that it has no records of rare or state-listed animals or plants or significant natural communities at the expanded Project area.</p> <p>On December 20, 2016, the USFWS concurred with GOSR's November 17, 2016, letter of a determination of the proposed project at the 9.2-acre Project site may affect, but is not likely to adversely affect, the federally-listed threatened Northern long-eared bat and acknowledged the determination that the project will result in no effect to the federally-listed endangered dwarf wedgemussel. Additional consultation was submitted on May 3, 2017, to include the sliver of land for the proposed entrance driveway right-of-way, the three alternate locations for the water booster pump, and the area of modification of the water main. The listed species of concern did not change from the ones identified in GOSR's original consultation package, and tree clearing will occur as identified in the original consultation package (at the Circle Drive Development) and potentially at Water Booster Alternate Location 1 between November 1 and March 31 to avoid potential for affecting bats and migratory birds. GOSR requested concurrence with There were no changes in GOSR's</p>
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		<p>determination. USFWS concurred with GOSR's determination on June 9, 2017.</p> <p>(See <b>Appendix D</b>, USFWS and NYNHP Correspondence.)</p> <p><b>Source: 16, 17</b></p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>The Project does not involve explosive or flammable operations. The Phase I ESA and Addendum did not find any tanks in the Project area.</p> <p>HUD-assisted projects must be located at an Acceptable Separation Distance (ASD) from stationary hazardous operations that store, handle or process chemicals or petrochemicals of an explosive or flammable nature. These tanks include:</p> <ul style="list-style-type: none"> <li>• Aboveground storage tanks (ASTs) that store flammable or explosive gasses (such as propane) within a 1,000-foot radius of the Project site;</li> <li>• ASTs exceeding 100 gallons that store flammable or explosive liquids within a 1,000-foot radius of the Project site; or</li> <li>• ASTs that exceed 20,000 gallons and are within one mile of the site.</li> </ul> <p>A search of the NYSDEC Bulk Storage Program Database identified 30 petroleum bulk storage (PBS) facilities within one mile of the Project site (See <b>Appendix A</b>, Figures). The nearest PBS sites are: Former Sidney Center Elementary School (600 feet from the water main modification area and 1,700 feet from the Circle Drive Development), Sidney Central School District (700 feet from the water main modification area and 2,000 feet from the Circle Drive Development), and Norse Properties/Hancock Restaurant (700 feet from the water main modification area and</p>

		<p>2,000 feet from the Circle Drive Development).</p> <p>The Sidney Central School District has three active tanks with a capacity greater than 100 gallons within approximately 1,000 feet of the Project site. This facility is within 1,000 feet of an element of the Project- the water main modification- that would not involve exposure of additional people. Sidney Central School District is 2,000 feet from the Circle Drive Development site, with other buildings separating it from the ASTs, and would not represent an explosive hazard for the structures or occupants. There are no facilities with ASTs at a capacity greater than 20,000 gallons within one mile of the Project site.</p> <p><u>During the public comment period, it brought to GOSR's attention that there is a 500-gallon above ground propane tank located in the backyard of a neighboring property. Acceptable Separation Distance (ASD) calculations using HUD's electronic Acceptable Separation Distance Assessment Tool indicate that the ASD for Thermal Radiation for People would be 207.2 feet and the ASD for Thermal Radiation for Buildings would be 36.5 feet. The ASD is measured from the center of the assessed container to the perimeter of the proposed HUD-assisted project site. Because the project site is approximately 140 feet away, mitigation will be required and incorporated into project design to comply with HUD's ASD requirements.</u></p> <p><b>Source: 12, 18</b></p>
<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>The Project site is not located in an agricultural district. The Project area is a developed suburban setting. Based on the Natural Resources Conservation Service (NRCS) soil data for Delaware County, the</p>



		<p>entire Project area and -is located on farmland of statewide importance. In compliance with the Farmland Protection Policy Act of 1981 (FPPA), Parts I and III of the Farmland Conversion Impact Rating Form and Project maps were submitted to the NRCS on December 8, 2016 and resubmitted on June 7, 2017 for determination of whether any part of the Project site is farmland subject to the FPPA. On June 12, 2017, NRCS responded, having filled out Parts IV and V of the Farmland Conversion Impact Rating Form and requesting that GOSR complete Parts VI and VII to compute the site assessment score. Based on 7 CFR Part 658.4, sites with a score of less than 160 receive a minimal level of consideration for protection, and no additional evaluation is required. GOSR completed the form, the site assessment score, and made the determination that the proposed Project will not violate the FPPA. The Project scored 65.3. GOSR responded to NRCS that, as such, the Project will not violate the FPPA. See <b>Appendix E</b>, Farmlands Protection.</p> <p><b>Source: 19</b></p>
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>Based on the review of the FEMA FIRM (Panel 36025C0242D, dated June 19, 2012), the Project site is located outside both the 100-year and 500-year floodplain and is not within a Special Flood Hazard Area.</p> <p><b>Source: 10</b></p>
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800; Tribal notification for new ground disturbance.</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>A 2007 Phase I Archaeological Survey conducted in the northern portion of the Project area (the Church property) recovered four pre-historic (three possible chert flakes and a utilized/debitage chunk) and four historic artifacts (two kaolin pipe bowl fragments, an unidentified nail and a shard of window glass). Coordination with</p>

		<p>the New York State Office of Parks, Recreation and Historic Preservation (SHPO) recommended a Phase I Archaeological Survey on the portion of the Circle Drive Development portion of the Project site that was not covered by the previous survey.</p> <p>The Phase I survey report was completed in January 2017. Phase IA research revealed that numerous prehistoric archaeological sites have been recorded within one mile of the Project area and historical maps indicated several possible historic structures across West Main Street from the Project area. Archaeological potential was judged to be high for both prehistoric and historic resources. Phase IB fieldwork was subsequently conducted and found no artifacts or cultural features. The report concluded that the Project would have no adverse effect on significant archaeological resources and recommended project clearance by SHPO. In a January 30, 2017, letter, SHPO stated it had reviewed the Phase I Archaeological Investigation of the Circle Drive Housing Development and concluded that it is SHPO's opinion that no additional archaeological work is necessary for the project.</p> <p>SHPO then requested information on all standing structures and buildings within and adjacent to the Area of Potential Effect on both sides of West Main Street and Suffolk Street/Circle Drive, including clear recent photographs, date of construction, brief description, and architects (if known). Historic Resource Inventory Forms for the standing structures were submitted to SHPO on May 13, 2017 and in a letter dated May 24, 2017, SHPO stated that the proposed undertaking will have No Adverse Effect to Historic Properties listed in or eligible for</p>
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		<p>inclusion in the State or National Register of Historic Places, with the following conditions:</p> <ol style="list-style-type: none"><li>1. GOSR will provide drawings of the houses to be built near and within the viewshed of St Luke's Evangelical Lutheran Church, at 139 West Main St, which is eligible for the National Register, for the SHPO's review; or</li><li>2. Plant trees and/ or bushes between the church and the first three buildings, on the Suffolk St/ Circle Drive end of the proposed road. (See Appendix F, SHPO Correspondence).</li></ol> <p>Additional consultation was submitted on May 3, 2017 regarding the expanded area, including the three water booster pump alternates, the water main modification, and the sliver of land needed for the driveway right-of-way. In a letter date May 9, 2017, SHPO requested more information on the date(s) of construction and historic uses of the two non-residential buildings on the Walsh property, 2151 Co Rd 4 as well as interior photos if available. Photographs of the standing structures surrounding the areas of new ground disturbance were submitted to SHPO on May 19, 2017 to SHPO. In a letter dated May 24, 2017, SHPO stated that the proposed undertaking will have No Adverse Effect to Historic Properties listed in or eligible for inclusion in the State or National Register of Historic Places, with the following conditions:</p> <ol style="list-style-type: none"><li>1. GOSR will provide drawings of the houses to be built near and within the viewshed of St Luke's Evangelical Lutheran Church, at 139 West Main St, which is eligible for the National Register, for the SHPO's review; or</li><li>2. Plant trees and/ or bushes between the church and the first three buildings, on the Suffolk St/ Circle Drive end of the proposed</li></ol>
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		<p>road. (See <b>Appendix F</b>, SHPO Correspondence).</p> <p>On November 14, 2016, GOSR submitted consultation letters to representatives of the Delaware Nation, Oneida Indian Nation, Delaware Tribe of Indians, Stockbridge-Munsee Community Band of Mohican Indians, St. Regis Mohawk Tribe, and Mohawk Nation Council of Chiefs Of Haudenosaunee Six Nations Confederacy asking if the Circle Drive Development Project site encompasses historic properties of religious or cultural significance. The letter included a site description, photographs, site plan, and map. The Delaware Tribe responded on November 18, 2017, requesting to see the results of the Phase 1B survey recommended by SHPO. The Oneida Indian Nation responded on December 13, 2017, and concurred with SHPO's recommendation for a Phase 1B survey to be conducted for those areas within the area of potential effect (APE) not already surveyed. The Delaware Tribe responded on November 18, 2016 and the Stockbridge-Munsee Community responded on November 21, 2016, both requesting a copy of the Phase 1 survey upon completion for review and comment due to concerns that that there could be culturally significant areas within the proposed Project area. The Phase 1B survey was provided to The Delaware Tribe, the Oneida Indian Nation, and the Stockbridge-Munsee Community on February 3, 2017. The Stockbridge Munsee Community responded on February 23, 2017, that it has no further concerns with the proposed project. The Oneida Indian Nation responded on March 22, 2017 and noted that the study had been reviewed and no historic properties were identified through the archaeological study.</p>
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		<p>stating that the 2007 Phase I Archaeological Survey identified a pre-contact site in the northern most part of the APE and that either additional study, including subsurface testing, be conducted or that this area be avoided. On June 12, 2017, GOSR responded that, at the request of the Delaware Tribe, a Phase IB Archaeological Field Survey, including sub-surface testing, will be conducted on the parcel subject to the 2007 Phase I Archaeological Survey, and owned by St. Luke's Lutheran Church, prior to Project construction. Results will be shared with the Delaware Tribe and GOSR will consult with the Tribe on additional steps or further investigation as needed. On June 13, 2017, the Delaware Tribe responded this is acceptable and that at this time they have no objection to the proposed work, while reserving the right to revoke the original comments after the survey is complete.</p> <p><u>On August 10, 2017, a Phase IB Archaeological Field Survey, including sub-surface testing, was conducted on the parcel by archaeologists from Tectonic Engineering. No additional cultural resources were recovered. On October 25, 2017, the Delaware Tribe responded that after review of the Phase 1B, they concur that there are no culturally significant areas within the Church property, and that the Tribe has no objection to the proposed project.</u></p> <p>(See <b>Appendix G</b>, Tribal Correspondence.)</p>
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>HUD guidance recommends a field review to screen for potential noise generators in the vicinity of a Project site. These include major roadways (greater than 10,000 vehicles per day) within 1,000 feet, railroads within 3,000 feet, and military or FAA-regulated airfields within 15 miles. The Delaware and</p>

		<p>Hudson a railroad right-of-way is approximately 1.2 miles (6,336 feet) from the western boundary of the Project site and, therefore, will not contribute substantially to noise at the Project site. The nearest major road is Interstate 88 (I-88), which is about 700 feet away and could generate perceptible noise levels at the Project site. The Sidney Municipal Airport is approximately 2.0 miles northwest of the Project site. Aircraft operations include general aviation and air taxi.</p> <p>According to the HUD Noise Guidebook, the acceptable day/night noise level (DNL) is 65 decibels (dB) and. Based on HUD's Aircraft Noise Assessment Worksheet, the number of jet operations at Sidney Municipal Airport are below the threshold requiring further evaluation and, therefore, would not contribute substantially to noise at the Project site. (See <b>Appendix H</b>, Noise.)</p> <p>I-88 receives and a daily average of 10,152 vehicles, approximately 4,589 of which are trucks and buses, with a speed limit of 65 miles per hour. HUD's electronic assessment tool, the DNL Calculator, was applied to assess the DNL for road noise associated with I-88. Road noise was calculated to be 64.7 decibels Day/Night Noise Level (DNL), which is in the acceptable category.</p> <p>The new residences will comply with modern building codes, which will reduce interior noise levels below the calculated DNL. Trees line I-88 along most of the length of the area of residential development and provide noise reduction for the residential development. In areas where trees do not screen the housing development from the highway, additional tree planting is recommended to provide an additional noise buffer.</p>
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		(See <b>Appendix G</b> , Noise.) <b>Source: 20</b>
<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Project area is not within the bounds of a Sole Source Aquifer Designated Area.  <b>Source: 21</b>

<p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>The Project site is not on wetlands, as identified by the National Wetlands Inventory. However, the eastern boundary of the Circle Drive Development portion of the Project, the eastern boundary of water booster Alternate Site 1, and the western boundary of water booster Alternate Site 3 are adjacent to riverine and freshwater forested/shrub wetlands. These portions of the Project also abut wetlands identified by NYSDEC.</p> <p>In a letter dated November 28, 2016, the NYSDEC indicated that the Project site is near or in Freshwater Wetland SD-5, Class 1. A NYS Freshwater Wetlands Permit will need to be obtained for any physical disturbance within 100 feet of the boundary of this wetland. In addition, the NYSDEC identified a class C unnamed stream adjacent to eastern boundary of the Circle Drive Development and one of the eastern water booster pump alternates the Project site (Waters Index Number SR-148). NYSDEC stated that a Protection of Waters Permit will not be required to physically disturb, dredge, or fill this waterway.</p> <p>A January 13, 2017, wetland assessment and delineation report identified a portion of the NYSDEC jurisdictional wetland SD-5 within the proposed Project area. Additionally, this wetland was also defined as R4SBC on the NWI maps. The wetland area and unnamed tributary delineated in the field hydraulically connect to one another. Based on the "U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook", the wetlands identified on this site are hydraulically connected and therefore, may be federally jurisdictional. The new structures will not affect or be within the 100-foot buffer zone</p>
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		<p>of the wetlands; however, once the construction and grading plans are finalized, the impacts will be re-evaluated and, if necessary, a joint permit application will be submitted to the USACE and the NYSDEC for review and approval.</p> <p>In accordance with 24 CFR Part 55, Floodplain Management and Protection of Wetlands, a 5-step wetland analysis was completed for the Project to identify potential impacts to the riverine and freshwater forested/shrub wetlands, along with the stream and wetlands identified by NYSDEC and methods to minimize the potential adverse impacts in a wetland. The analysis concluded that the Project will not alter the survival or quality of the wetlands. (See <b>Appendix I</b>, Wetlands.)</p> <p><b>Source: 22, 23, 24</b></p>
<p><b>Wild and Scenic Rivers</b></p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>There are no Wild and Scenic Rivers within the vicinity of the Project site, as designated by the U.S. Department of the Interior. The Project is not located along a Wild, Scenic, or Recreational River as determined by the NYSDEC. Therefore, the Project will not violate the Wild and Scenic Rivers Act.</p> <p><b>Source: 25, 26, 27</b></p>
<b>ENVIRONMENTAL JUSTICE</b>		
<p><b>Environmental Justice</b></p> <p>Executive Order 12898</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Project site is adjacent to areas with environmental justice populations, as defined by NYSDEC based on data from the 2000 U.S. Census. Two of the three water booster pump alternates and the area of the water main modification are within environmental justice areas.</p> <p>The Project involves development of undeveloped land with new residential units. The new homes and two-family units will be prioritized for maximum</p>

		<p>participation by low to medium income residents. Therefore, any changes in population or demographics would be beneficial to low to moderate income levels and equally beneficial among racial groups. The Project also will have beneficial impacts on the new residents, as the new residences would be in compliance with modern building codes and would have reduced risk from flooding.</p> <p>The water main modification and water booster pump will provide necessary infrastructure for the housing development and will not displace or impact the quality of life of environmental justice populations. The water main modification will occur at the existing water main on West Main Street. Both water booster pump Alternates 1 and 2 are located on vacant portions of parcels containing apartment complexes within environmental justice areas. Neither of the pump sites would disturb the apartment structures or residents. The limits of construction (LOC) for Alternate 1 is approximately 115 feet from the nearest apartment building and would be screened from the building by trees. The LOC for Alternate 2 is approximately 80 feet from the nearest apartment building. Construction activities would adhere to all applicable local ordinances, permit requirements, and BMPs to protect the health and safety of the surrounding population and limit the effects of construction noise on residents. The effects of construction would be temporary.</p> <p>The water booster pump station will be fenced and signage provided to protect the public and the equipment. Typical noise levels at an outdoor pump site with no noise barriers depend upon the horsepower of</p>
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		<p>the pump and range roughly from 90 to 100 dBA. At a distance of 24 to 26 meters (roughly 80 feet), noise attenuation would be 36 dBA; and at a distance of 30 to 33 meters (roughly 100 feet), noise attenuation would be 38 dBA. Quiet and modern equipment with adequate noise control measures in the design to prevent noise problems, regular maintenance, and placement of equipment in a plant room with thick walls are the types of measures that will be implemented in the design stage to minimize the noise associated with operation of the pump to negligible levels and the operation of the water booster pump would not affect the residents of these apartments if one of these alternates is selected.</p> <p>Any generators installed at the pump stations will be subject to the stationary Reciprocating Internal Combustion Engine (RICE) Maximum Achievable Control Technology (MACT) regulations at 40 CFR 63 ZZZZ that govern emission limits and compliance requirements for existing and new stationary RICE. Any new compression ignition generator must comply with 40 CFR 60, Subpart IIII, and any new spark ignition generator must comply with 40 CFR 60, Subpart JJJJ. As the water booster pump stations are not located at major sources of HAP emissions, they would not result in direct or indirect adverse impacts to air quality.</p> <p>The Project would have no significant adverse environmental justice impacts on the surrounding community.</p> <p><b>Source: 28, 29</b></p>
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**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and

resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	<p><u>The Village of Sidney is currently working with residents, business community members, local officials, and planners from the state to develop a long term strategic plan for the Village. It has developed a Long-Term Plan for Recovery and Resilience to flooding, which was adopted just prior to Hurricane Sandy. This plan recognizes that Sidney continues to be at risk for future floods.</u></p> <p><u>Although the plans identified below do not identify specific recommendations for the specific project site, the proposed project does meet specific plan goals:</u></p> <p><u>DMA 2000 Hazard Mitigation Plan Update - Delaware County, New York-</u></p> <ul style="list-style-type: none"> <li><u>• Village acquisition of property outside of the 100-year floodplain to develop a new mixed-use and mixed-income neighborhood.</u></li> </ul> <p><u>Village of Sidney Comprehensive Action Plan (2002)-</u></p> <ul style="list-style-type: none"> <li><u>• One of every three respondents to the Village of Sidney Community Survey indicated that houses in the Village are "not attractive or in good condition." In addition, 61% of respondents "agree" or "strongly</u></li> </ul>

		<p><u>agree" that "there is a shortage of quality housing in the Village"</u></p> <ul style="list-style-type: none"><li>• <u>"Housing Affordability" was ranked by respondents to the Village of Sidney Community Survey as the 3rd most serious issue facing the Village out of a possible 13 issues</u></li></ul> <p><u>Village of Sidney Long Term Plan for Recovery and Resilience (2013)-</u></p> <ul style="list-style-type: none"><li>• <u>Goal- Develop safe housing at various price points to meet the needs of all residents including young families, seniors and vulnerable populations out of the 100-year floodplain (page 68).</u></li><li>• <u>Goal- Consider alternatives for annexing property adjacent to the Village and extending municipal services for flood safe replacement housing and commercial development (page 113).</u></li></ul> <p><u>The Village rezoned the St. Luke's church parcel from R-1 to R-2 to allow the two-unit townhomes. The parcel will need to be subdivided, as will the VFW parcel. The two parcels to be developed for single-family homes lie within the Town of Sidney, outside the Village boundaries (the Martin and Patterson parcels).</u> The Village of Sidney plans to annex the Project area parcels into the Village boundaries. <u>The Patterson parcel will also be subdivided. Those two parcels are currently zoned Residential-Agricultural, which allows single family homes.</u> Right-of-ways would be granted to the Village to allow for infrastructure to pass through the multi-family housing development to construct road, water, sewer, and stormwater infrastructure that will support the single and multifamily housing to be constructed on the site. Approval from the Village will be obtained before the site is developed.</p> <p>Construction will be in compliance with all Village zoning and code regulations.</p> <p>The three alternate water booster sites and the water main modification area are located within the Village boundary.</p> <p>The adjacent property to the west of the Project development site is owned by St. Luke's church. To the</p>
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		<p>east is undeveloped land owned by the Sidney Central School District, and to the south is undeveloped private land. The area surrounding the parcels that will be purchased as for the Sidney Circle Drive development project is not zoned.</p> <p><b>Source 30, 31, 32, 33</b></p>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	<b>2</b>	<p>The elevation of the Project area is approximately 1,160 to 1,040 feet above mean sea level. Drainage from the Circle Drive Development and water booster Alternates 2 and 3 would tend to follow natural contours to the east toward an unnamed tributary located approximately 100 feet to the east. Similarly, drainage from water booster Alternate 1 would tend to follow natural contours to the west toward another unnamed tributary. (See <b>Appendix I, Wetlands.</b>) According to the United States Department of Agriculture (USDA) soil survey, the majority of soil on the Project site is Mardin channery silt loam, 3 to 15 percent slopes, with some Chenango gravelly silt loam, 3 to 8 percent slopes and Norchip silt loam, 0 to 3 percent slopes.</p> <p>All Project construction will be in accordance with Section 402 of the Clean Water Act that requires authorization by an NPDES permit or by a state permit program. New York's State Pollutant Discharge Elimination System (SPDES) is a NPDES-approved program. Coverage under the NYSDEC GP-15-002 permit will be obtained prior to the commencement of construction activity.</p> <p><b>Source 19</b></p>
Hazards and Nuisances including Site Safety and Noise	<b>3</b>	<p>The Project site is not in a 100- or a 500-year flood hazard area. No other known natural hazards, including earthquake fault zones, landslide zones, or hazardous terrain, are at or near the Project site.</p> <p>The Project will generate noise during construction that will be minimized through compliance with local noise ordinances, including time-of-day work limitations. Exterior construction activities will take place during normal working hours and will employ commonly accepted engineering and administrative controls that will minimize noise impacts to neighbors. Interior construction activities will have negligible impact to neighbors.</p>

		<b>Source 10, 12, 13, 14, 15</b>
Energy Consumption	<b>2</b>	Currently, the site is unoccupied; therefore, the Project will increase the energy consumption to the property. The Project design will incorporate New York State Energy Research and Development Authority (NYSERDA) Low Rise Program and Leadership in Energy and Environmental Design (LEED) Version 4 energy efficiency standards.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	<b>2</b>	<p>According to a 2015 Census estimate, the median household income for the Village of Sidney was \$31,484, a 26 percent increase from the year 2000, compared with New York State's median income of \$59,269.</p> <p>The estimated median value of homes in 2015 was \$81,600; compared with New York State's median home value of \$283,400.</p> <p>The Project will provide temporary employment during construction. Temporary employment will not alter the patterns of income and employment for the neighborhood. After construction, positions to manage and maintain the property will be filled as needed.</p> <p><b>Source 3</b></p>
Demographic Character Changes, Displacement	<b>1</b>	<p>According to the United States Census Bureau, the population of Sidney has increased from 3,900 (2010) to 4,146 (2015) and the population of Delaware County has decreased from 47,980 to 46,901 during that same period.</p> <p>The U.S. Census Bureau 2010 statistics documented that 64.58 percent of the population of Sidney was identified as white/Caucasian, 15.61 percent as black/African American, 7.98 percent as Asian, 0.38 percent as American Indian and Alaska Native, and 0.03 percent as Native Hawaiian and Other Pacific Islander.</p> <p>The addition of 22 single family housing units and 10 two-family unit townhomes by the Project will provide housing to individuals and families at multiple income brackets. The project is intended to supply housing options for low to moderate income buyers, buyers from the Sidney Buyout</p>

		<p>Program area, and Village residents, along with other interested buyers.</p> <p>It is expected that the Project will have a positive impact on the community by developing affordable housing for families affected by severe flooding during Hurricane Irene and Tropical Storm Lee.</p> <p>Access into Sidney is provided along Main Street, and nearby Interstate 88 provides access throughout the state. Additionally, the Project will not displace any residents or businesses from the property, which is currently undeveloped.</p> <p><b>Source 3, 4</b></p>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	<b>2</b>	<p>The Project will likely have a minor impact on public educational facilities because tenants are expected to be families and potentially students of the surrounding schools such as Sidney Jr. Sr. High School and Sidney Elementary School, which are the two schools that make up the Sidney Central School District. It is estimated that the Project could result in an influx of approximately 20 additional students within the school district.</p> <p>A letter obtained from the Sidney Central School District, received on November 29, 2016, confirmed that an increase in the student body population of the expected 20 students could be accommodated at the school for the Project residents (See <b>Appendix J</b>, Commitments).</p> <p>The Village of Sidney and the surrounding area have a variety of cultural facilities that would be beneficial to the Project, such as Keith Clark Park, Sidney Golf and Country Club, the Sidney Historical Museum, the Sidney Memorial Public Library, baseball diamonds, churches, and shopping facilities.</p>
Commercial Facilities	<b>2</b>	<p>Many commercial facilities are located throughout the Village of Sidney and Delaware County, such as a golf course, shopping centers, and restaurants.</p>

		Depending on the number of people occupying the new residence relocating from within the Village or coming from other areas, the Project may involve a small increase in local population. The increase in demand in diverse commercial facilities would be minimal.
Health Care and Social Services	2	<p>Tri-Town Regional Hospital (TRH) and United Health Services Pediatrics located approximately a half mile from the Project site on Pearl Street West. TRH is open 24 hours a day, seven days a week as an emergency care facility serving the Tri-Town region, which includes the communities of Sidney, Unadilla and Bainbridge. TRH offers the following services: Behavioral, Cancer Institute, Center for Advanced Vascular Care, Children's Health-Pediatrics Diagnostic X-Ray, Emergency and Trauma Care, Eye Care, Family Medicine, General Surgery, Hand Surgery, Heart Care, Imaging Services, Internal Medicine, Joint Replacement Center, Laboratory and Pathology, Mammograms, Medical Oncology and Chemotherapy, Neurology, Orthopedics, Otolaryngology and Audiology, Plastic and Reconstructive Surgery, Podiatry, Primary Care, Radiology -CT Scan, Radiology -MR Imaging, Radiology – Ultrasound, Rehabilitation, Sports Medicine, Surgical Services, Thoracic Surgery, Urology, Vascular Testing.</p> <p>The Delaware County Department of Social Services offices in Delhi provides economic assistance and opportunity as well as social service support to residents of Sidney.</p> <p>The increase in demand for medical services would be minimal.</p> <p><b>Source 34, 35</b></p>
Solid Waste Disposal / Recycling	2	<p>Otsego County stated that waste generated at the Sidney Circle Drive Development can be accepted at its Southern Transfer Station in Oneonta. Casella Resource Solutions handles the county recycling services and operates the Southern Transfer Station.</p> <p>Two Plus Four Construction, the developer of the proposed multi-family units, plans to implement a construction site waste management plan to reduce construction waste. The plan will specify the procedures for management, control, and disposition of waste material, reducing or diverting waste from direct landfill disposal. Separate collection bins</p>

		<p>will be labeled, maintained, and monitored for type of material on the job site.</p> <p>(See <b>Appendix J</b>, Commitments).</p>
Waste Water / Sanitary Sewers	2	<p>As the site is not currently used for industry or residences, the projected utility usage will be an increase over present zero usage.</p> <p>Wastewater treatment and sewer service is provided by the Village of Sidney, which has excess capacity in its wastewater treatment facility.</p> <p><b>Source: 33</b></p>
Water Supply	2	<p>As the site is not currently used for industry or residence, the projected utility usage will be an increase over present zero usage. The increase in usage is anticipated to be accommodated by the excess capacity in the Village of Sidney water supply system.</p> <p>The Village of Sidney Water Department supplies and operates the water system in Sidney. Water for the Village of Sidney is supplied by two wells. The Village also has two upland reservoir systems as standby storage with capacities of 86 million and 45 million gallons. These reservoirs are currently not in use but are available for backup if needed. The primary water supply well was developed in 1988 and pumps at a rate of 780 to 800 gallons per minute. The Village of Sidney has one potable water storage tank with a storage capacity of 2 million gallons.</p> <p>To avoid emergency drawdowns and expense of utilizing upland reservoir systems to maintain system pressure, the Project will include water booster infrastructure to allow the system to operate with current well capacity.</p> <p><b>Source 36</b></p>
Public Safety - Police, Fire and Emergency Medical	2	<p>Public safety services will be provided by the Village of Sidney Police Department and Fire Department.</p> <p>A letter from the Village of Sidney Police Department confirmed its ability to provide law enforcement services to the Project. (See <b>Appendix J</b>, Commitments).</p> <p>A letter from the Village of Sidney Fire Department confirmed its ability to provide law enforcement services to the Project. (See <b>Appendix J</b>, Commitments).</p>

Parks, Open Space and Recreation	2	<p>Keith Clark Park, Sherwood Heights Park, and Sidney Golf and Country Club are located in Sidney. Pine Hill State Forest is south of the village, and South Hill State Forest is northwest of Sidney. The Village of Sidney Department of Parks and Recreation runs a youth soccer league that uses the field at the Sidney Elks Club. Additional youth programs include the Sidney/Bainbridge Little League and swimming lessons at the community pool.</p> <p><b>Source: 33</b></p>
Transportation and Accessibility	2	<p>Access to the Project and the Village of Sidney will be via a driveway off Circle Drive. The Project is near Interstate 88 (I-88) with an on-ramp at Airport Road (State Route 8). I-88 provides east-west access to Oneonta, Unadilla, and Binghamton. Sidney Municipal Airport is approximately 2 miles northwest of the Project.</p> <p><u>In a comment letter dated 11/17/2017, the NYS Department of Transportation (NYDOT) asked to be considered as an Involved Agency regarding notifications and reviews of site plans and project documents for activities that are within 500 feet of state right-of-way, including Interstate 88 (See Appendix K).</u></p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	<p>According to the NYSDEC Environmental Resource Mapper, there are no significant natural communities, or waterbodies on the Project site. The eastern boundary of the Circle Drive Development portion of the project, the eastern boundary of water booster Alternate Site 1, and the western boundary of water booster Alternate Site 3 are adjacent to riverine and freshwater forested/shrub wetlands. These portions of the Project also abut wetlands identified by NYSDEC. These wetlands will not be disturbed by the Project. Once the construction and grading plans are finalized, the impacts will be re-evaluated and, if necessary, a joint permit application will be submitted to the USACE and the NYSDEC for review and approval.</p>

		<b>Source 37</b>
Vegetation, Wildlife	<b>2</b>	<p>In a letter dated January 18, 2017, the Project architect certified that the Project will not include any of the invasive species listed on the NYS Department of Environmental Conservation's Prohibited and Regulated Invasive Species Regulations contained in 6 NYCRR Part 575.3 and 575.4, as listed on the NYSDEC website at address: <a href="http://www.dec.ny.gov/regulations/93848.html">http://www.dec.ny.gov/regulations/93848.html</a> (See <b>Appendix J</b>, Commitments).</p> <p>According to the NYSDEC Environmental Resource Mapper, there are no rare plants or rare animals on the Project Site.</p> <p>According to letters written by GOSR to the USFWS, dated November 17, 2016, and May 3, 2017, there are no critical habitats or endangered species at the Project site, and the Project may affect, but is not likely to adversely affect, the federally-listed threatened northern long-eared bat and will result in no effect to the federally-listed endangered dwarf wedgemussel. Several migratory birds of concern were identified as being potentially affected because the Project site is located in the Atlantic Flyway. Bald eagle habitats exist throughout Delaware County, and GOSR requested that bald eagle nesting zones within 660 feet of the Project site be disclosed. Tree clearing will be conducted between November 1 and March 31 to avoid the potential for affecting bats and migratory birds. (See <b>Appendix C</b>, USFWS and NYNHP Correspondence).</p> <p><b>Source: 17, 22, 23, 24 37</b></p>
Other Factors		NA

**Additional Studies Performed:**

- Phase I ESA prepared on January 2017
- Phase I ESA Addendum prepared on May 2017
- Phase I Archaeological Investigation of the Circle Drive Housing Development, Town of Sidney, Delaware County, New York, January 2017
- Supplemental Phase 1B Archaeological Investigation, July 2017
- —



**Field Inspection** (Date and completed by):

- Phase I ESA site reconnaissance on December 7, 2016
- Phase I ESA Addendum site reconnaissance on May 3, 2017
- Phase IB Archaeological Investigation on November 22 and December 5, 6 and 7, 2016
- Phase IB Archaeological Investigation on August 15 and 16, 2017
- Groundwater Testing by Lamont Engineers on September 18, 2017
- Verizon Fiber Optic Line Location marking by Lamont Engineers and Verizon on October 4, 2017

**List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]:

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6. Federal Aviation Administration. Report to Congress – National Plan of Integrated Airport Systems (2017-2021). Internet Website: [https://www.faa.gov/airports/planning\\_capacity/npias/reports/media/NPIAS-Report-2017-2021-Narrative.pdf](https://www.faa.gov/airports/planning_capacity/npias/reports/media/NPIAS-Report-2017-2021-Narrative.pdf).
7. Federal Aviation Administration. Report to Congress – National Plan of Integrated Airport Systems, All Existing NPIAS Airports (2017-2021). Internet Website: [https://www.faa.gov/airports/planning\\_capacity/npias/reports/media/NPIAS-Report-2017-2021-Appendix-A.pdf](https://www.faa.gov/airports/planning_capacity/npias/reports/media/NPIAS-Report-2017-2021-Appendix-A.pdf).
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10. US Federal Emergency Management Agency. Current FEMA issued Flood Maps. Internet Website: <https://msc.fema.gov/portal>.
11. US Environmental Protection Agency. Green Book Nonattainment Areas. Internet Website: <http://www.epa.gov/oaqps001/greenbk/ancl.html>.
12. New York State Department of Environmental Conservation Bulk Storage Database Search. Internet Website: <http://www.dec.ny.gov/cfm/extapps/derexternal/index.cfm?pageid=4>.

13. New York State Department of Environmental Conservation Environmental Site Remediation Database Search. Internet Website:  
<http://www.dec.ny.gov/cfm/external/derexternal/index.cfm?pageid=3>.
14. United States Environmental Protection Agency. 2015. NEPAAssist Internet Mapping Tool.  
<https://nepassisttool.epa.gov/nepassist/nepamap.aspx>.12.
15. US Environmental Protection Agency EPA Map of Radon Zones. Internet Website:  
<https://www.epa.gov/sites/production/files/2015-07/documents/zonemapcolor.pdf>.
16. US Fish and Wildlife Service. 2016. Northern Long-eared Bat Hibernacula and Maternity Roost Tree Location Information. Internet Website:  
[https://www.fws.gov/northeast/nyfo/es/MYSE%20bat%20sites\\_2016.xlsx](https://www.fws.gov/northeast/nyfo/es/MYSE%20bat%20sites_2016.xlsx).
17. US Fish and Wildlife Service. 2016, 2017. Endangered Species Act Official Species List. November 15, 2016 and April 25, 2017.
18. New York State Department of Environmental Conservation. 2015. Regulation of Petroleum Tanks. Internet Website: <http://www.dec.ny.gov/chemical/2642.html>.
19. United States Department of Agriculture. Natural Resources Conservation Service. Internet Website: <http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>.
20. Department of Housing and Urban Development. HUD Noise Guidebook. Internet Website: <https://www.hudexchange.info/resource/313/hud-noise-guidebook/>
21. U.S. Environmental Protection Agency Region 2. 2007. Sole Source Aquifers for NY and NJ. September 2007. Internet Website:  
[http://www.epa.gov/region02/gis/data/downloads/r2sole\\_source\\_aquifer.zip](http://www.epa.gov/region02/gis/data/downloads/r2sole_source_aquifer.zip).
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<http://cugir.mannlib.cornell.edu/datatheme.jsp?id=111>.
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25. National Wild and Scenic Rivers System. Internet Website: <http://www.rivers.gov/new-york.php>.
26. New York State Department of Environmental Conservation. Wild Scenic and Recreational Rivers. Internet Website: <http://www.dec.ny.gov/permits/32739.html>.
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37. New York State Department of Environmental Conservation (NYSDEC). Environmental Resource Mapper. Internet Website: <http://www.dec.ny.gov/imsmaps/ERM/viewer.htm>.
38. DMA 2000 Hazard Mitigation Plan Update - Delaware County, New York
39. Village of Sidney Comprehensive Action Plan (2002)
40. Village of Sidney Long-Term Plan for Recovery and Resilience (2013)

**List of Appendices:**

- Appendix A: Figures
- Appendix B: Site Plans
- Appendix C: Contamination and Toxic Substances
- Appendix D: USFWS and NYNHP Correspondence
- Appendix E: Farmlands Protection
- Appendix F: SHPO Correspondence
- Appendix G: Tribal Correspondence
- Appendix H: Noise
- Appendix I: Wetlands
- Appendix J: Commitments
- Appendix K: NYS Department of Transportation Letter

**List of Permits Obtained or Required:**

- NYS Department of Environmental Conservation- SPDES Permit GP-0-15-002  
(Construction Activity)
- NYS Department of Health- water extension approval
- Delaware County Highway Department permit
- Village of Sidney Highway Department permit
- Village of Sidney Building permit and Certificate of Compliance
- Village of Sidney Public Works Department permit- infrastructure extensions

**Other Approvals Obtained or Required:**

- SEQRA Negative Declaration
- Village of Sidney Board- Parcel Zoning amendment and Annexation approval
- Village of Sidney Planning Board- Site Plan approval ~~Plat approval~~ and Subdivision approval (cluster developments)
- ~~Village of Sidney Zoning Amendment for Project development parcels as necessary~~  
Town of Sidney Board- Annexation approval
- NYS Department of Transportation- include as an Involved Agency in notifications and reviews of site plans and project documents for activities that are within 500 feet of state right-of-way, including Interstate 88

**Public Outreach [24 CFR 50.23 & 58.43]:**

On June 15, 2017, a combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds ~~would was be~~ published in the *Tri-Town News*. On November 2, 2017, a Combined Revised Notice of Finding of No Significant Impact and Second Notice of Intent to Request Release of Funds will be published in the Tri-Town News. Any individual, group or agency may submit written comments on the Environmental Review Record to both: Lori A. Shirley, Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York 12260 AND Andrew Matviak, Mayor of the Village of Sidney, 21 Liberty Street, Sidney, NY, 13838.

**Cumulative Impact Analysis [24 CFR 58.32]:**

The Project is not expected to trigger cumulative impacts to important natural resources, socioeconomic resources, human health, recreation, quality of life issues, or cultural resources. The Project involves the development of 22 single family homes, 10 two-unit townhouses near the intersection of Circle Drive and West Main Street, and the infrastructure necessary to support them, including a water booster pump, and modifications to the water main under a portion of West Main Street. Although numerous prehistoric archaeological sites have been recorded within one mile of the project area and historical maps indicate several possible historic structures across West Main Street from the Project area in 1869, the Project is not expected to have an adverse effect on significant archaeological resources.

There will be an increase in demand for utilities, but the increase is well within the existing capacity of existing utility systems. The Project will bring new residents and business to the neighborhood. No residents or businesses will be displaced. The increase in residents will not result in significant increases in demand on schools or health and emergency services. The Project is not of a scale large enough to contribute significantly to cumulative impacts. It will create positive impacts, as it will create new affordable housing in the area.

**Alternatives** [24 CFR 58.40(e); 40 CFR 1508.9]

**Proposed Project:**

As described in this EA, Sidney Circle Drive Development will address the need for affordable housing in the area and contribute to the revitalization of the community. The Village identified and analyzed several properties within the Village to develop single and multi-family housing outside of the floodplain. This project is one part of a multi-faceted program to mitigate the harmful impacts of riverine flooding in the Village of Sidney.

**Alternative Locations:**

- The first option studied by the community was a multi-acre plot along Plankenhorn Road. This option was rejected due to the cost of extending water and sewer infrastructure necessary to serve the new development. The extension of infrastructure would have exceeded the Village's available funding and not allowed for the development of housing.
- The second option studied by the community was an area adjacent to the Sidney Country Club. This option was rejected due to the size of the parcel and accessibility of the development by emergency personnel.
- The third option studied by the community is the current site to be developed. This option was selected for its proximity to current streets, accessibility for emergency vehicles, space for the development of housing and infrastructure, and its proximity to existing infrastructure, for cost-effectiveness of connections.

**No Action Alternative** [24 CFR 58.40(e)]:

Not undertaking the Project would not be consistent with the Sidney New York Rising Community Reconstruction Plan strategies for addressing short- and long-term housing needs for diverse flood-safe housing options. Without the Project, there will be no increase in the availability of resilient, sustainable, affordable housing to encourage workers to live locally and no net attraction of residents supporting the business and facilities necessary to enhance the viability of the neighborhood economy.

**Summary of Findings and Conclusions:**

The Project will increase the demand on local utilities and services as the resident population would increase, but these increases are well within the capacity of the service providers. The Project will not result in a significant impact on the quality of the human environment or result

in other direct, indirect, or cumulative impacts. The Project will comply with all relevant regulations listed in 24 CFR Part 58.

### **Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

<b><u>Law, Authority, or Factor</u></b>	<b><u>Mitigation Measure</u></b>
Clean Air Act	All Project activities must comply with applicable federal, state, and local laws and regulations regarding construction emissions, including but not limited to NYCRR, NYSDEC Air Quality Management Plan, and the New York State Implementation Plan (SIP). All necessary measures must be used to minimize fugitive dust emissions during activities. The preferred method for dust suppression is water sprinkling.
Clean Air Act	Any generator installed at the water booster pump station will be subject to the stationary Reciprocating Internal Combustion Engine (RICE) Maximum Achievable Control Technology (MACT) regulations at 40 CFR 63 ZZZZ that govern emission limits and compliance requirements for existing and new stationary RICE. Any new compression ignition generator must comply with 40 CFR 60, Subpart IIII, and any new spark ignition generator must comply with 40 CFR 60, Subpart JJJJ. Because none of the the water booster pump stations are located at major sources of HAP emissions, they will not result in direct or indirect adverse impacts to air quality.
<u>Contamination and Toxic Substances</u>	<u>The project site is approximately 140 feet away from a residential 500-gallon above ground propane tank. Mitigation to comply with HUD's Acceptable Separation Distance (ASD) requirements will be required and incorporated into project design.</u>



Contamination and Toxic Substances	The Project will include sub-slab depressurization radon mitigation systems in the housing units. Radon testing must be done when construction is complete, prior to occupancy. If testing results exceed EPA action levels, additional mitigation measures may be required to be retrofitted into the buildings.
Contamination and Toxic Substances	If mold contamination occurs, a certified industrial hygienist must ensure that the mold is appropriately removed and submit a clearance report prior to occupancy.
Contamination and Toxic Substances	If any possible PCB-containing equipment is discovered onsite, it must be disposed of in accordance with applicable rules and regulations.
Contamination and Toxic Substances	All Project-related solid waste materials will be managed and transported in accordance with the NYS solid and hazardous waste rules.
Endangered Species	Trees will be cleared between November 1 and March 31 to avoid the potential for impacting bats and migratory birds.
Historic Preservation	SHPO has requested that provide drawings or renderings of the houses to be built near and within the viewshed of St Luke's Evangelical Lutheran Church, at 139 West Main Street, which is eligible for the National Register, to be provided for their review. An alternative plan would be to plant trees and/ or bushes between the church and the first three buildings, on the Suffolk St/ Circle Drive end of the proposed road.
<del>Cultural Resources</del>	<del>At the request of the Delaware Tribe of Indians, a Phase IB Archaeological Field Survey, including sub-surface testing, must be conducted on the parcel subject to the 2007 Phase I Archaeological Survey, and owned by St. Luke's Lutheran Church, prior to project construction. Results will be shared with the Delaware Tribe and GOSR will consult with the Tribe on additional steps or further investigation as needed. Completed.</del>
Cultural Resources	In the event a concentration of artifacts or in the unlikely event any human remains are accidentally unearthed during project construction in any of these areas, all work will be halted until all interested Tribes are informed of the inadvertent discovery and a qualified archaeologist can evaluate the find. in the

	event a concentration of artifacts and/or in the unlikely event any human remains are accidentally unearthed during project construction in any of these areas, all work will be halted until the interested tribes are informed of the inadvertent discovery and a qualified archaeologist can evaluate the find.
Wetlands	Once the construction and grading plans are finalized, the impacts to NYSDEC and NWI wetlands at the Project area margins will be re-evaluated and, if necessary, a joint permit application will be submitted to the USACE and the NYSDEC for review and approval.
Vegetation	The Project will not include any of the invasive species listed on the NYS Department of Environmental Conservation's Prohibited and Regulated Invasive Species Regulations contained in 6 NYCRR Part 575.3 and 575.4, as listed on the NYSDEC website at address: <a href="http://www.dec.ny.gov/regulations/93848.html">http://www.dec.ny.gov/regulations/93848.html</a> .

**Determination:**

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: Genevieve Kaiser Date: June 15, 2017

Revised November 2, 2017

Revised November 20, 2017

Name/Title/Organization: Genevieve Kaiser, Senior Environmental Planner, Tetra Tech, Inc.

Certifying Officer Signature: Lori A Shirley Date: June 15, 2017

Revised November 2, 2017

Revised November 20, 2017

Name/Title: Lori A. Shirley, Certifying Officer, Governor's Office of Storm Recovery

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This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).